

THE CITY OF NEW YORK
LAW DEPARTMENT
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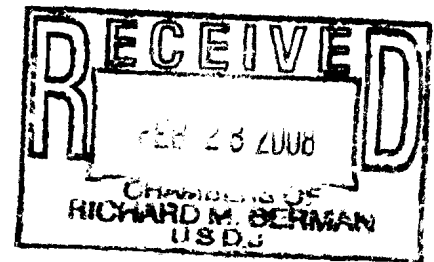
February 27, 2008

BY HAND

The Honorable Richard M. Berman
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street, Room 650
New York, NY 10007

MEMO ENDORSED

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Blaine Peterson v. City of New York, et al.
07-CV-7111 (RMB)(MHD)

Your Honor:

I am an attorney in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, supervising the defense of the above-referenced federal civil rights lawsuit.¹ In this case, plaintiff alleges he was assaulted by New York City correction officers on April 24, 2006. I respectfully write to request a sixty-day extension of the current discovery deadline from March 3, 2008, to May 5, 2008, and a corresponding adjournment of the conference currently scheduled for Monday, March 3, 2008, at 10:00 a.m. until after the close of discovery. Plaintiff's counsel, Leo Glickman, Esq., joins in this request. The reasons for these requests are set forth below.

By way of background, an initial pretrial conference was held before Your Honor on November 1, 2007. Since that time, counsel for the parties have served additional pleadings, exchanged initial disclosures, served and responded to interrogatories and demands for documents, and agreed on a protective order which was so ordered by Your Honor on January 24, 2008. Pursuant to that protective order, defendants are in the process of producing certain training records to plaintiff's counsel. Additionally, plaintiff received medical treatment during the month of January, 2008, the records of which we are waiting to obtain. Counsel also inspected and photographed the site of the incident at Rikers Island on February 5, 2008.

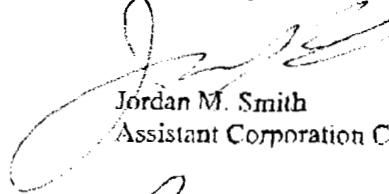
¹ This case has been assigned to Assistant Corporation Counsel Maurice Hudson, who is presently awaiting admission to the bar and is handling this matter under my supervision. Mr. Hudson may be reached directly at (212) 788-3684.

Finally, plaintiff has conveyed an initial settlement demand to which defendants anticipate responding within the next two weeks.

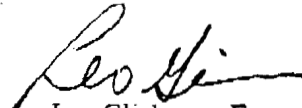
No depositions have been taken to date as the parties have hoped to make a serious effort to settle this matter before incurring the expense of depositions. Accordingly, we respectfully request that the Court extend the discovery deadline from March 3, 2008, to May 5, 2008, and adjourn the conference currently scheduled for Monday, March 3, 2008, at 10:00 a.m. until after the close of discovery. This is the first request for an extension of the discovery deadline and the first request for an adjournment of the conference.

Thank you for your consideration of these requests.

Respectfully submitted,



Jordan M. Smith
Assistant Corporation Counsel



Leo Glickman, Esq.
Attorney for Plaintiff
71 Nevins Street
Brooklyn, New York 11217

Tell me where settlement
stands at next week's
conference which is not
adjourned. (I'd also be
very actively engaged in
discovery if I were you, very).

SO ORDERED:

Date: 2/28/08

Richard A. Berman
Richard M. Berman, U.S.D.J.